



Action Agenda

Board of Commissioners
August 12, 2010
7:00 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on Thursday, August 12, 2010, at 7:00 p.m. in the Public Meeting Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:

Jack Smith, Chairman
Herb Frady, Vice Chairman
Lee Hearn
Robert Horgan
Eric Maxwell

Staff Present:

Jack Krakeel, County Administrator
Scott Bennett, County Attorney
Carol Chandler, Executive Assistant
Floyd L. Jones, Deputy Clerk

Call to Order, Invocation, and Pledge of Allegiance

Chairman Smith called the August 12, 2010 Board of Commissioners meeting to order at 7:04 pm.
Commissioner Hearn gave the Invocation.
Chairman Smith led the audience in the Pledge of Allegiance.

Acceptance of Agenda.

Chairman Smith asked for New Business Item D to be removed from the agenda because he was awaiting additional information on this issue.

Commissioner Horgan moved to approve the agenda as published and to exclude New Business Item D from the agenda. Commissioner Hearn seconded the motion. The motion passed unanimously.

PRESENTATION / RECOGNITION:

A. Presentation by Clerk of Court Sheila Studdard of Mr. Ryan Nolan, the winner of the 2010 Constitutional Officers' Association of Georgia's scholarship.

Clerk of Court Sheila Studdard, Sheriff Wayne Hannah, and Executive Director of the Constitutional Officer's Association of Georgia Suzanne Cross introduced Mr. Ryan Nolan to the Board and congratulated him on winning the 2010 Constitutional Officers' Association of Georgia's scholarship.

Chairman Smith told the audience that he personally knew Mr. Nolan and his parents, and he told Mr. Nolan it was a pleasure to watch him grow and mature into the man he is. He congratulated Mr. Nolan, commended him for a job well done, and said he was a model for youth in the Fayette Community.

PUBLIC COMMENT:

No one spoke during Public Comment.

CONSENT AGENDA:

Commissioner Horgan moved to approve Consent Agenda Items 1-23. Commissioner Hearn seconded the motion.

Commissioner Maxwell noted that he was not present for the July 7, 2010 Board Meeting, and he asked for Consent Item 23 to be removed from the Consent Agenda since he could not vote on the July 7, 2010 Minutes.

Commissioner Horgan amended his motion to approve Consent Agenda Items 1-22. Commissioner Hearn seconded the amended motion. The amended motion passed unanimously.

- 1. Approval of appointment of Dr. Dave Lee to the Fayette County Hospital Authority for a four-year term that began on June 1, 2010 and will expire May 31, 2014.**
- 2. Approval of reappointment of Darryl McKinney to the Fayette County Hospital Authority for a four-year term that began on June 1, 2010 and will expire on May 31, 2014.**
- 3. Approval of reappointment of Joan Smith to the Fayette County Hospital Authority for a four-year term that began on June 1, 2010 and will expire on May 31, 2014.**
- 4. Approval of staff's recommendation to issue a Request for Proposal (RFP) from qualified environmental firms to conduct post-closure environmental monitoring and compliance activities at the County's solid waste facilities on First Manassas Mile Road.**

5. Approval of staff's request to accept Foxhall Farms III and IV as a Street Light District in Fayette County.
6. Approval of staff's recommendation to continue the maintenance agreement between Fayette County and Motorola for the 800 MHZ ASTRO Simulcast System, and to authorize the Chairman to sign the renewal contract for the term of July 1, 2010 through June 30, 2011, pending the County Attorney's review and approval.
7. Approval of staff's recommendation for approval of the Amendment to the Frequency Reconfiguration Agreement between Fayette County and Sprint Nextel Corporation, required by the rebanding of the 800 MHZ public radio system used by the Fayette County 911 Center, pending review and approval by the County Attorney.
8. Approval of a request from the Sheriff that the Chairman be authorized to execute the Annual Federal Equitable Sharing Agreement and Certification between Fayette County and the U.S. Departments of Justice and Treasury for the period of July 1, 2010 through June 30, 2011.
9. Approval of the Sheriff's Office request to amend the FY2010 Overtime Budget for the Fayette County Sheriff's Office Criminal Investigations Division by \$9,130.47 for reimbursement for employees assigned to work with various Federal Agencies.
10. Approval of the Sheriff's Office request to amend the FY2011 Sheriff's Office State Confiscated Revenue Account-Technical Services Budget by \$11.00 to account for abandoned monies which have been ordered retained for law enforcement enhancement.
11. Approval of staff's request to authorize the Chairman to sign a Quitclaim Deed and Maintenance Agreement between Fayette County and the Georgia Department of Transportation for related easements and right-of-way for the widening of State Route 74 South, Project Number STP-209-1(2).
12. Approval of staff's request to authorize the Chairman to sign a Quitclaim Deed and Maintenance Agreement between Fayette County and the Georgia Department of Transportation related to easements and right-of-way for the intersection improvements at State Route 92 and Hilo Road / Kingswood Drive, Project Number STP00-0000-00(399).
13. Approval of staff's recommendation to authorize execution of a contract with the Georgia Department of Transportation for Local Assistance Road Program (LARP) funding for resurfacing projects.
14. Approval of staff's recommendation to authorize the Chairman to sign the proposed Right-of-Way Deed and other documents required by the Georgia Department of Transportation (GDOT) for the conveyance of approximately 0.105 acres to the GDOT at the intersection of Padgett Road and State Route 85.

15. **Approval of staff's request to amend the FY2011 Road Department Budget by carrying for \$7,590 from the department's FY2010 Road and Construction Equipment Account for the purchase of a 12-ton, dual-axle equipment trailer.**
16. **Approval of staff's recommendation to award Bid #754 to low-bidder Allen Vigil Ford in Morrow, in the amount of \$28,655, for the purchase of a Sign Shop truck for the Road Department.**
17. **Approval of staff's request to amend the FY2011 Library Budget by carrying forward \$108,000, the remaining available FY2010 budget funds for the Library SPLOST Subscriptions-Books Account.**
18. **Ratification of approval of the "Agreement for Billing Services" between Fayette County and the Town of Brooks which enables the County Water System to bill Brooks' sewer customers.**
19. **Approval of staff's recommendation to extend Chemical Bid #718, for an additional twelve months, to eight companies that were low bidders on items used by the Fayette County Water System for water treatment.**
20. **Approval of staff's recommendation to approve the Drinking Water Testing and Related Services Contract with the Georgia Department of Natural Resources for a period of three years beginning July 1, 2010 and ending June 30, 2013, and authorization for the Chairman to execute the Contract pending review and approval of the County Attorney.**
21. **Approval of the Water Committee's recommendation to authorize engineering, plans and specifications for a waterline extension to Ellen's Ridge Subdivision from Sandy Creek Road, up to Coastline Road to Milam Road.**
22. **Approval of the Water Committee's recommendation to adopt the State's newly mandated water restrictions.**
23. **Approval of the June 24, 2010 Board of Commissioners Minutes, and the July 7, 2010 Board of Commissioners Minutes.**

Commissioner Frady moved to approve the June 24, 2010 Board of Commissioners Minutes. Commissioner Horgan seconded the motion. The motion passed unanimously.

Commissioner Horgan moved to approve the July 7, 2010 Board of Commissioners Minutes. Commissioner Hearn seconded the motion. The motion passed 4-0-1 with Commissioner Maxwell abstaining from the vote.

OLD BUSINESS

B. Continued discussion by Chief Finance Officer Mary Holland on staff's forecast regarding the 2010 Property Tax Millage Rates which are scheduled to be adopted on August 26, 2010.

Chief Finance Officer Mary Holland discussed staff's forecast and available options regarding the 2010 Property Tax Millage Rates and sought direction from the Board. The Board's consensus was to pursue the *No Rollback (2009 & 2008)* option.

County Administrator Jack Krakeel also informed the Board, audience, and staff although the Agenda indicates that the required Public Hearing on the millage rates would be held on August 26, 2010 that the Public Hearing should actually occur on Wednesday, September 1, 2010 in order to meet legal notice requirements.

C. Consideration of staff's request to approve a waiver of the county's allocation of \$1,117,449 for issuing Qualified Energy Conservation Bonds and authorization for the Chairman to execute said waiver and Resolution 2010-14 confirming the waiver.

Chief Finance Officer Mary Holland discussed staff's request with the Board.

Commissioner Horgan moved to approve a waiver of Fayette County's allocation of \$1,117,449.00 for issuing Qualified Energy Conservation Bonds, to authorize the Chairman to execute said waiver, and to further authorize the Chairman to sign Resolution 2010-14 confirming the waiver. Commissioner Frady seconded the motion. The motion passed unanimously.

NEW BUSINESS

D. Discussion of the possible abandonment of a portion of Snead Road west of Old Greenville Road and subsequent conveyance of the County's prescriptive easement to the adjacent property as a part of completing the County's paving project.

Item D was removed from the agenda during the Acceptance of Agenda.

E. Discussion of staff's recommendation to approve the concept design for SPLOST Project No. B-2, known as the Westbridge Road Horizontal Curve Improvement and Bridge Replacement Project over Morning Creek.

Public Works Director Phil Mallon discussed staff's recommendation to utilize the *Alternative 3* concept design for SPLOST Project No. B-2, and he discussed what is involved with *Alternative 3*.

The Board's consensus was to proceed with *Alternative 3* as recommended by staff.

F. Consideration of Water Committee's recommendation to award the annual contract for Waterline Extensions for Fiscal Year 2010 to the low bidder, Lantz Construction, in the amount of \$635,325.00, and to authorize the Chairman to sign said contract, pending review by the County Attorney.

Water System Director Tony Parrott explained the Water Committee's recommendation to award the annual contract for Waterline Extension's for Fiscal Year 2010 to the low bidder, Lantz Construction.

Commissioner Horgan moved to approve the Water Committee's recommendation to award the annual contract for Waterline Extensions for Fiscal Year 2010 to the low bidder, Lantz Construction, in the amount of \$635,325, and to authorize the Chairman to sign said contract pending review by the County Attorney. Commissioner Hearn seconded the motion. The motion passed unanimously.

County Administrator Jack Krakeel noted the action should be corrected to reflect that the request was intended for Fiscal Year 2011 instead of Fiscal Year 2010 as indicated on the Agenda.

Commissioner Horgan amended the previous motion to be applicable for Fiscal Year 2011 instead of Fiscal Year 2010. Commissioner Hearn seconded the amended motion. The motion passed unanimously.

ADMINISTRATOR'S REPORTS

Grant Application to the Council of Juvenile Court Judges of Georgia: County Administrator Jack Krakeel reported he had received a request from Juvenile Court Judge Ben Miller, Jr. requesting authorization to submit a grant application to the Council of Juvenile Court Judges of Georgia in the amount of \$7,500. He said although this is a Juvenile Court grant request, it would require authorization from the County to submit the request since the County is the financial agent for the funding. He said it was designed to continue current and existing programs, and that the deadline to submit the application is Monday, August 16, 2010.

Commissioner Maxwell moved to authorize execution of the Purchase of Services for Juvenile Offenders Application for grant funding from the Council of Juvenile Court Judges of Georgia in an amount not to exceed \$7,500. Commissioner Frady seconded the motion. The motion passed unanimously.

ATTORNEY'S REPORTS

Eco-South and Sports Turf Company Contract: County Attorney Scott Bennett reminded the Board that Eco-South and Sports Turf Company Inc. have been working with the Water System doing mitigation work on various sites for mitigation credits through the Corps of Engineers. He reported he was presenting a

contract for work at the Goodin Branch (Danielly) Mitigation Site in the amount of \$829,635 for all the work needed to mitigate the site. He said the County has the required performance and payment bonds and the contract is ready for the Board's approval and the Chairman's signature.

Commissioner Horgan moved to authorize the Chairman to sign a contract between Fayette County and Eco-South and Sports Turf Company Incorporated for the construction of wetlands on County-owned properties in the amount of \$829,635.00. Commissioner Hearn seconded the motion. The motion passed unanimously.

STAFF REPORTS

Carolyn's Hauling Incorporated Contract: Public Works Director Phil Mallon reminded the Board that earlier this year the Board awarded the annual hauling contract to a vendor and a secondary vendor, but since that time the Purchasing Department has been in negotiations with those vendors because both the primary and secondary vendors are unable to meet some of the bonding requirements required in the contract. He asked the Board to consider re-awarding the contract to the third lowest bidder, Carolyn's Hauling Incorporated. He reported that Carolyn's Hauling has assured Fayette County in writing that they can meet the bonding requirement.

Chairman Smith asked for legal advice on the matter. County Attorney Scott Bennett replied that the original award needed to be rescinded from the vendor and secondary vendor, and he explained some the problems that have been experienced. He said the two lowest bidders are not qualified bidders since they could not meet the obligation of the bid the County solicited.

Commissioner Horgan moved to rescind the award of Bid #753 to Pittstop Enterprises. Commissioner Frady seconded the motion. The motion passed unanimously.

Commissioner Horgan moved to rescind the alternate award of Bid #753 to Liberty Truck Hauling, LLC. Commissioner Frady seconded the motion. The motion passed unanimously.

Commissioner Frady moved to re-award Bid #753 to Carolyn's Hauling, Incorporated. Commissioner Horgan seconded the motion. The motion passed unanimously.

BOARD REPORT

Chairman Smith: The Chairman reported that he tendered his resignation as the Atlanta Regional Commission's (ARC) Transportation Air Quality Committee Chairman, and in his stead appointed Vice-Chairman Tom Worthan who is the Douglas County Commission Chairman. He said he relinquished the role as a result of the election in order to give Mr. Worthan the opportunity to be "indoctrinated" between now and the end of the year, and in order to give any help needed on official matters during the transition period.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

No further business came before the Board. Chairman Smith adjourned the August 12, 2010 Board of Commissioners meeting at 7:57 without objection.

Floyd L. Jones, Deputy Clerk